

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FIRM PTO-1390 (REV. 120-2004)		ATTORNEY'S DOCKET NUMBER 37794-0044US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/523969
INTERNATIONAL APPLICATION NO. PCT/US03/024600	INTERNATIONAL FILING DATE 06 August 2003 (06.08.2003)	PRIORITY DATE CLAIMED 09 August 2002 (09.08.2002)
TITLE OF INVENTION MECHANISMS OF MYOBLAST TRANSFER IN TREATING HEART FAILURE		
APPLICANT(S) FOR DO/EO/US Peter K. LAW		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. <input type="checkbox"/> The US has been elected (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> A English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> had been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20. below concern document(s) or information included:		
<ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included <input type="checkbox"/> A preliminary amendment. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 132 and 37 CFR 1.821-1825 <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4) <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Other items or information: Cover Page of Published Application (WO 2004/0143032 A3); Forms: PCT/IB/304, PCT//IB/301, PCT/IB/308, PCT/ISA/210; Application Data Sheet 		

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.7)		INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER																
107523969		PCT/US03/024600	37794-0044US																
<p>21. The following fees are submitted:</p> <table> <tr> <td><input checked="" type="checkbox"/></td> <td>a) Basic national fee.....</td> <td>\$300.00</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>b) Examination fee</td> <td>\$200.00</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>c) Search fee.....</td> <td>\$100.00</td> </tr> </table>				<input checked="" type="checkbox"/>	a) Basic national fee.....	\$300.00	<input checked="" type="checkbox"/>	b) Examination fee	\$200.00	<input checked="" type="checkbox"/>	c) Search fee.....	\$100.00							
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<input checked="" type="checkbox"/>	c) Search fee.....	\$100.00																	
TOTAL OF ABOVE CALCULATIONS =																			
\$ 600.00																			
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																			
<table border="1"> <thead> <tr> <th>TOTAL SHEETS</th> <th>EXTRA SHEETS</th> <th>NUMBER EXTRA (of each additional 50 or fraction thereof rounded up to a whole number)</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>24-100 =</td> <td>/50 =</td> <td>0</td> <td>x \$250.00</td> </tr> </tbody> </table>				TOTAL SHEETS	EXTRA SHEETS	NUMBER EXTRA (of each additional 50 or fraction thereof rounded up to a whole number)	RATE	24-100 =	/50 =	0	x \$250.00								
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Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).																			
<table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>20- 20 =</td> <td>0</td> <td>x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>3- 3 =</td> <td>0</td> <td>x \$200.00</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td></td> <td>+ \$360.00</td> </tr> </tbody> </table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	20- 20 =	0	x \$50.00	Independent claims	3- 3 =	0	x \$200.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00
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TOTAL OF ABOVE CALCULATIONS =																			
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<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.																			
SUBTOTAL =																			
\$ 300.00																			
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f))																			
TOTAL NATIONAL FEE =																			
\$ 300.00																			
Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property																			
TOTAL FEES ENCLOSED =																			
\$ 300.00																			
<input type="checkbox"/> Amount to be refunded: \$ _____																			
<input type="checkbox"/> Amount to be charged: \$ _____																			
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$300.00</u> to cover the above fees is enclosed.																			
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.																			
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment To Deposit Account No. <u>08-1641</u> A duplicate copy of this sheet is enclosed.																			
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																			
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																			
SEND ALL CORRESPONDENCE TO: Marvin A. Motsenbocker HELLER EHRLMAN WHITE & MCAULIFFE 1666 K Street, N.W., Suite 300 Washington, D.C. 20005 Customer No. : 26633																			
SIGNATURE 																			
NAME		Date																	
<u>Marvin A. Motsenbocker</u>		<u>February 8, 2005</u>																	
REGISTRATION NUMBER <u>36,614</u>																			